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BOOK REVIEWS.

A Treatise on the Modern Law of Evidence, by Charles Frederick Chamberlayne, Esq., of the Boston and New York Bars, American Editor of Best's Principles of the Law of Evidence; American Editor of the International Edition of Best on Evidence; American Editor of Taylor on Evidence. Volume 2. Procedure. Albany, New York. Matthew Bender & Company. London, England, Sweet & Maxwell, Limited. 1911. Price of entire set, 4 Volumes, \$28.00.

The second volume of Mr. Chamberlayne's work on Evidence more than carries out the promise of the first. This present volume deals with topics in the law of evidence such as Burden of Proof, Presumptions, Admissions, Confessions, Evidence at Former Trial. We are particularly struck with the author's original and to some extent daring criticisms upon principles which are supposed to have been established beyond reach of criticism. This is particularly seen in his article upon the Burden of Proof and in the article on Admissions by Agents in connection with *Res Gestæ*. We hope at some future day to be able at a more extended length to express our views upon the question of *Res Gestæ*, based upon Mr. Wigmore's and Mr. Chamberlayne's works on Evidence. We do not believe that anywhere in any of the books the two questions we have mentioned, Burden of Proof and Admissions of an Agent are more admirably put than by Mr. Chamberlayne and an examination of his first and second volume taken in connection with one another—for of necessity the influence of Administration is strongly apparent in all Procedure—convinces one that Mr. Chamberlayne has added to the numerous works on Evidence one of the greatest value, marked by originality of thought, by clearness of presentation and most admirable arrangement.

American and English Annotated Cases—Containing the important cases selected from the current American, Canadian and English Reports, thoroughly annotated. Editors, William McKinney and H. Noyes Greene. Volume 19. Edward Thompson Company. Northport, L. I. New York. 1911. Price \$5.00.

The 19th Volume of American and English Annotated Cases is rich, both in selection and annotation. Of some novelty is the note on page 575 on the "Right of a Court Trying a Case without a Jury to Visit the Premises;" and the note on Conclusiveness and Weight of Master's Findings of Fact, on page 908, is one of the best we have ever seen on the subject. The note on page 1143 sets out very fully a list of the "Jurisdictions in which the doctrine of comparative negligence is recognize," and supplements the valuable note given in 3rd Annotated Cases page 42. The note on page 61, "Sufficiency of Evidence to Show Mailing of Letter" is an admirable one, and the note on page 655 as to the meaning of the word "Cohabit" is a valuable contribution to one branch of the criminal law. The note on "Sufficiency of Evidence to Warrant Reformation of Instrument on Ground of Mutual Mistake" is one of the fullest and clearest we have yet seen on that subject.

We regret that the paper and printing of the present volume is not up to the usual standard, as there seems to be a good deal of blurring in the print. We have had occasion in the last few months to repeatedly use these volumes of Annotated Reports and have been more than satisfied in each case with them.